

Harrington Park  
PLANNING BOARD  
**SPECIAL MEETING MINUTES**  
Tuesday, September 28, 2021 @ 8:00PM

**Chairman Capazzi called the meeting to order at 8:02pm.**

**Open Public Meeting Act Announcement:** In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

Pursuant to Governor Murphy's Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the Special meeting of the Borough of Harrington Park Planning Board scheduled for **September 28, 2021** at 8:00 p.m. will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during the public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system.

Members of the public are advised that the video and audio of the meeting will be recorded and will be a public record subject to disclosure pursuant to the Open Public Meetings Act. The Borough reserves the right to post the recording of the meeting to its website.

**ROLL CALL**

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
(JC) Chairman John CAPAZZI	X	
(PH) Mayor Paul HOELSCHER	X (joined at 8:07pm)	
(AN) Councilman Allan NAPOLITANO	X	
(PA) Vice-Chair Peter ARDITO	X	
(RM) Secretary Richard McLAUGHLIN	X	
(JB) Member Jesse BARRAGATO		X
(RW) Member Robert WALDRON	X	

Also present:

(JK) Jennifer Knarich, Price, Meese, Shulman & D'Arminio  
(AK) Anthony Kurus, Neglia Engineering  
(DC) Dijia Chen, Phillips Priess Grygiel Leheny Hughes  
(CL) Carolyn Lee, Recording Secretary

**MINUTES FOR APPROVAL**

1. June 8, 2021 minutes

<b>Vote to approve June 8, 2021 minutes.</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>

Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO	X		X			
Mayor Paul HOELSCHER						X
Councilman Allan NAPOLITANO					X	X
Secretary Richard McLAUGHLIN		X	X			
Member Jesse BARRAGATO						X
Member Robert WALDRON			X			

## **INVOICES FOR APPROVAL**

General (June 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 975.00
General (July 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 375.00
41 Peat (May 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 60.00
41 Peat (June 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 1,605.00
41 Peat (July 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 90.00
Allegro Development (Escrow May 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 1,552.60
Allegro Development (6/15/2021 - 6/30/2021)	Price Meese Shulman & D'Armino, P.C.	\$ 795.00
Allegro Development (Escrow July 2021)	Price Meese Shulman & D'Armino, P.C.	\$ 945.00
Professional Services (May 2021)	Phillip Preiss Grygiel, Leheny, Hughes LLC	\$ 472.50
Professional Services (June 2021)	Phillip Preiss Grygiel, Leheny, Hughes LLC	\$ 52.50
<b>TOTAL</b>		<b>\$ 6,922.60</b>

<b>Vote to approve invoices listed in the agenda.</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO	X		X			
Mayor Paul HOELSCHER						X
Councilman Allan NAPOLITANO			X			X
Secretary Richard McLAUGHLIN		X	X			
Member Jesse BARRAGATO						X
Member Robert WALDRON			X			

## **HEARING**

### **1. 20 Pascack Avenue - Subdivision**

The attorney on record is Bruce Dexter. Mr. Dexter thanked the board for scheduling the special meeting for his client.

JK noted that the board has jurisdiction to hear the application and notices have been properly effectuated.

Mr. Dexter reviewed that this application is a minor 2 lot subdivision for block 1502, lot 1 and 1.01 and to reconfigure the 2 existing lot lines. Thomas Skrable is the professional engineer who drew the subdivision map.

(8:07pm) Mayor Hoelscher entered the meeting.

Thomas Skrable, 65 Ramapo Valley Road, Mahwah, was sworn in. Mr. Skrable received a Bachelor of Civil Engineering in 1987 from the University of Delaware and has been practicing ever since. He received the NJ license in 1992. He has represented a couple of municipalities throughout the years and is currently the Board Engineer in Old Tappan, NJ. He has testified

before numerous boards in Northern NJ and Southern NY state over the 30+ years. He has testified as an engineering expert before those boards. The Planning Board accepted his qualifications as an expert professional engineer.

Mr. Skrable visited the site. He and a surveyor prepared the minor subdivision plat that was displayed on screen that the members received copies. John Bezuyen is the surveyor. Both signed the plans since it includes minor subdivision information and proposed development of lot 1.

20 Pascack Avenue is a 1.64 acre lot. The board reviewed and approved a 4 lot subdivision a few of years ago and was not perfected. His client is looking to create 2 lots. The existing dwelling and garage improvements on Pascack Avenue would remain and a new house would be built on what would become the rear lot. The new house would have access and front on Elm St. in the township of River Vale. The lots are oversized. 12,000sf is required for a lot and the lots are 36,454sf (lot 1 - rear proposed lot ) and 34,836sf (lot 1.01 - existing improvements). The Borough Engineer had comments about the lots and the applicant will change the designation to what the Borough wants. They will comply with all the bulk criteria. The only issue is for the proposed lot where there is 50.5ft of frontage in the township of River Vale. A variance is needed in the township of River Vale. Chris Statile is the River Vale engineer who came up with the “T” turnaround design on Elm St. Elm Street and the utilities would have to be extended to the site. It would have to be done in accordance with River Vale. It is a 50ft right of way which is not enough for a traditional cul-de-sac. It is 48ft wide by 15ft. A vehicle can go in and make a “K” turn to go out. The applicant will comply with all the comments in the Harrington Park engineer letter.

The utilities are already on Elm St. to the last improved lot, but they will have to extend the utilities. The applicant will do that. Elm St. is the most practical way to have access to the rear lot (lot 1). Otherwise he would need to create a strange lot configuration and have a flag lot situation when they would have a long driveway from Pascack Ave. to the back lot. In general, it is frowned upon. It is Mr. Skrable’s opinion that the proposed configuration is superior to a flag lot. From the street, the lots are going to look uniform to the other lots in the area, but these lots are larger.

A-1 - Minor Subdivision Plan (dated 7/19/2021)

B-1 - Negia Engineer Compliance & Technical Review No.1 (dated 8/31/2021)

AK reviewed the Neglia review letter (8/31/2021).

Page 1 - We heard the description of the project by the engineer. The subdivision will be 2 lots.

Page 2 - The zoning analysis. The only variance is for the lot frontage for proposed lot 1. The deviation on Elm St. for lot frontage was described.

Page 3 - Engineering comments

1. Requested tree removal, preservation and planting plan to quantify replacement trees. It is based on what is being removed. The plan shows the tree that will be removed to construct a new dwelling on the site.

2. If approved, zoning will be required to comply. The bulk requirements will need to be filled out for the zoning officer to review what the proposed bulk standards are.
3. Soil movement calculations were provided. Once the final plan is developed, final soil moving calculations would need to be provided. A soil movement review is required for grading and drainage. This information has not been supplied to date.
4. & 5. If the subdivision plan is approved, they would need the plans for grading, drainage, seepage pit, etc.
6. Ask for standard notes on drainage plan.
7. On site drainage is the responsibility of the applicant.
8. AK asked about the lot 1 new utility connections on Elm St. Mr. Skrable said that the utilities would be an extension from River Vale. AK stated that the utility connections would have to be coordinated with River Vale. Harrington Park public works would not be involved with the sewer connection.
9. Mr. Skrable noted that the building plans are based on plans that Mr. Chiellini built at another location. It is a standard colonial with a front porch and a patio in the rear.

Louis Chiellini, 22 Ruth Place, Park Ridge, NJ, was sworn in. He has been building in the Pascack Valley area for 38 years and has not built in Harrington Park. He has built in River Vale, Park Ridge, Montvale, and Old Tappan. He builds locally. He is keeping the existing house for his son and is building a farmhouse in the rear for a future client. The farmhouse with a wrap around porch and take advantage of the wooded area. The back will have a patio or deck depending on what the client wants. He has been doing cedar impressions at the front and siding on the side or hardy plank depending on what the client wants. The bump out next to the patio is a great room with an arrangement of windows that will enhance looking out at the rear of the property. The house is at a position that favors the rear yard and looks out at the deepest part. The house is designed with a front load garage, but there is room for a side load depending on the client. He has built the house 2 or 3 times. It is a 4 bedroom house, open, oversized dining room that walks out to the patio and onto the wrap around porch.

AK reviewed the comments.

B-3 - Ambulance Corps email (9/12/2021).

1. There was a question on turnaround for emergency vehicles. Mr. Skrable said the turnaround is 48ft by 15ft. east-west direction. They did not put a template to it. It is a 50ft right-of-way. To build a traditional cul-de-sac, there is not enough room. They would have to give up some of the property to build a cul-de-sac and he thought that would be a little unfair. They think this is a reasonable configuration. They can consider adding a radius. AK requested that they include a turning radius and show what vehicle it can accommodate, i.e. ambulance or police vehicles. Mr. Skrable said that the vehicle would have to do a "K" turn no matter what. Mr. Skrable felt that any vehicle other than a fire truck could make that maneuver. A firetruck would have to back up. Mr. Skrable agreed to show the radius for the vehicles.
2. Site topography - also in the engineer review letter. The applicant would need to supply a grading and drainage plan.  
There was a question about the house being in a 100 year flood plain. Mr. Dexter said that it is not in a flood plain.

3. Zoning Legend - also in the engineer review letter.

- Fire Department comments (9/9/2021)

1. Lack of a cul-de-sac - discussed during this meeting.
2. AK asked if there was only one other house frontage on Elm St. This would be the second house on Elm St. Mr. Skrable believes they are exceeding the highest standards and will provide the analysis for the turnaround.  
AK asked if the applicant can show the closest fire hydrant on the final site plan. Mr. Skrable said they are extending the water main, but if a hydrant is needed, they will provide it. Mr. Skrable will check the location of the closest hydrant.
3. Street names causing confusion in the event of an emergency. Mr. Skrable offered to do what the Planning Board and the Borough requests. He suggested that the address could be Elm St., River Vale, even though taxes are being paid to Harrington Park. Mr. Skrable said that they have only been in contact with Statile's office and have not received other comments, but will reach out.

B-4 Phillips Preiss Planner Report (dated 9/22/2021)

DC reviewed the planner report. After the minor subdivision, the lots would be largely compliant. The only variance is the lot frontage of the street that is being created and would get the width of the right-of-way as the lot frontage. It is a "c" variance. Proposed lot 1 where the new house is proposed, they have provided a building coverage and footprint. The yard setbacks, height, building coverage and improved coverage will comply. If the board votes favorably, DC recommends that a condition is to comply with the bulk requirements.

2. It is recommended that the applicant revise the zoning table that a "c" variance is required.
3. Recommends that the applicant provides calculations for building improvements for lot 1.01 after subdivision to ensure that there is compliance with coverage.
4. There is significant tree removal. The borough has a tree preservation removal ordinance. The plan doesn't appear that it has been addressed.
5. "c" variance - Request testimony from the applicant on why the deficient lot frontage is justified. DC said that c(1) hardship would not apply to this application. c(2) is whether the benefits outweigh the detriments. The board must consider if the application will bring public benefits or if there is a better zoning alternative.
  - a. There was discussion about the circulation concern because the street is in the jurisdiction of River Vale. If approved, it is recommended to include a condition upon River Vale to approve that the street can be extended.
  - b. There will be a significant number of trees that will be taken down. At this time there was no tree plan for tree replacement submitted. There might be an environmental impact and drainage impact.
  - c. There will be an additional house on the street and may be a visual impact. The board will consider if an additional house has an impact on the neighborhood.
6. Additional details regarding engineering were discussed.

Mr. Dexter noted that he has not seen the report until this meeting. He said that there is a case for the c(1) and c(2) variance given the shape of the lot and the large size of the lot and there are many smaller lots in the area. It is better planning to split the lot into two that is almost 2 acres

in size. It is visually favorable to have another house and better planning and zoning. Given the fact that the bulk requirement is 10,000sf zone. Mr. Dexter said there is no planner attending tonight, but he can provide one if the board requires it. JC requested a planner for testimony for the c(1) variance. Mr. Dexter agreed.

PA referred to the engineer review about tree removal. There are substantial large deciduous trees that will be removed for this application. The concern is that the trees that take up a lot of water will be removed and will be replaced with impervious coverage. These are large trees and the formula has not been addressed for replacement trees. PA requested that the replacement trees would be deciduous for the deciduous removed. If an evergreen is removed, the replacement would be an evergreen. It does not appear that it is possible to replace all the trees on the plot that the formula will require. If you can't plant enough trees on the location to make up for the formula, consider contributing to the tree replanting fund to plant other trees in town to rectify the loss of trees in that area.

Mr. Skrable will comply. PA looks forward to reviewing the formula once it is supplied to the board.

Meeting was opened to the public for questions for the engineer.

Motion: PA Second: RM

In favor, all said "aye". None opposed.

RW, a board member, would like to see the turning radius at the end of the street. RW wanted to clarify that the board is not approving the house plans because they were not submitted. Mr. Dexter agreed. Plans would be submitted to the construction official for further review. RW asked if there were wetlands on the property. PA said that there were some on the South East corner. AK noted that in the previous application for the property that the applicant was permitted to fill some of the wetland area on the property. He believes that it was taken care of. Mr. Skrable also noted that there was small area, but in the North West part of the property closer to Pascack Ave. There was a low area that was filled in, but did not know that status. JK asked Mr. Dexter to contact the DEP regarding the wetland area. Mr. Dexter was unaware of the wetlands issue until now, but will contact the DEP. Mr. Skrable indicated that the site plan shows an area on the north west corner of the lot near Pascack Ave. there is a little drainage ditch, there may have been some isolated wetlands. He did not know the status of any filling permits, but it does not affect the proposed development on the new lot. It would need to be dealt with if there are improvements on the front lot. AK can look into the filling permit and said that the previous applicant completed the fill in accordance with the permit received from NJ DEP. The new plan does not show any low lying area. AK will also check the files.

Meeting was opened to the public for comments.

Motion: PA Second: RM

In favor, all said "aye". None opposed.

Nick Ivanov, 70 Lindy Avenue, River Vale, was sworn in. His property is adjacent to Elm St. It is the property that has been discussed about extending the street for the proposed house. If the

applicant cannot provide a cul-de-sac because they are not willing to give up some of their property, why does River Vale have to accommodate a property in Harrington Park with all the commercial and construction traffic going through River Vale at their expense? He will have to deal with it. Elm St. will have to be expanded for a fire truck and is not wide as it should be. For the applicant to allow vehicles on the street, the street has to be expanded. The applicant will be going onto his property and the other properties on the street. Mr. Skrable said that traffic volume is minimal. Construction traffic is a pain in the neck, but it is short term. To deny reasonable development of the site for that reason, it seems unreasonable, but respects that Mr. Ivanov has a different opinion. To add a fourth home on the street that is 20ft wide and will meet state standards, that is what the developer is obligated to do. Mr. Ivanov mentioned there are privacy issues since there will be a fourth house. Mr. Ivanov feels that the entrance to the proposed house should be from Pascack Ave. and does not see a good reason why the entrance must be from River Vale. For someone who will be paying Harrington Park taxes, the town will be allowing the person to drive through River Vale when it could be done in Harrington Park. The River Vale residents will have to deal with the construction. Mr. Ivanov opposes this application.

No other public members had any comments.

Meeting closed to the public.

Motion: PA Second: RM

In favor, all said "aye". None opposed.

The next Planning Board meeting is October 12, 2021. JK noted that the professionals will need time to review the revised plans. There was discussion on when the revised plans would be submitted. The meeting was carried to October 12, 2021. Mr. Dexter said that he will provide a planner at the next meeting.

### **OLD BUSINESS**

No old business.

### **NEW BUSINESS**

PA said that the impervious coverage video had a checklist for non-structural strategy if the applicant would comply. It is about 9 questions. Would it be possible for Neglia to provide a copy of the completed review checklist? AK said that it would be possible, but it is applicable to major development projects. Allegro had the items listed in the storm management statement.

JK thanked DC for her work.

### **ADJOURN**

Motion: PA Second: RW

In favor, all said "aye". None opposed.

Meeting adjourned at 9:11pm.

NEXT SCHEDULED PLANNING BOARD  
REGULAR MEETING  
**Tuesday, October 12, 2021 at 8pm**